Mail Stop Interference P.O. Box 1450 Alexandria Va 22313-1450

Tel: 571-272-4683 Fax: 571-273-0042 Paper 143 Filed: May 13, 2009

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Vector Tobacco Inc. Junior Party (U.S. Patent 6,907,887),

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North Carolina State University, Senior Party (U.S. Application 11/416,887).

Patent Interference No. 105,632 (MPT) (Technology Center 1600)

JUDGMENT - PRIORITY - Bd. R. 127

Before: FRED E. McKELVEY, Senior Administrative Patent Judge and RICHARD TORCZON and MICHAEL P. TIERNEY, Administrative Patent Judges.

TIERNEY, Administrative Patent Judge.

The Board has entered a Decision on Order to Show Cause. (Paper 133). 1 . As a result of the Decision, judgment on priority is entered against the involved 2 claims of the Junior Party Vector '887 patent. 3 4 It is: Ordered that judgment be entered against all of the involved Junior Party 5 6 Vector '887 patent claims, claims 1-5, 7-13 and 18-20. Further Ordered that claims 1-5, 7-13 and 18-20 of the involved U.S. 7 Patent 6,907,887 be CANCELED, 35 U.S.C. §135(a). 8 Further Ordered that a copy of this judgment be entered in the 9 administrative records of the involved U.S. Patent 6,907,887 and U.S. Application 10 11 11/416,887. 12

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1	cc: (electronic filing)
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3	Attorney for Vector Tobacco Ltd.:
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5	Brenton R. Babcock, Esq.
6	KNOBBE MARTENS OLSON & BEAR LLP
7	2040 MAIN STREET
8	FOURTEENTH FLOOR
9	IRVINE CA 92614
10	•
11	Tel: (949) 760-0404
12	Email: boxvector@kmob.com
13	
14	Attorney for North Carolina State University:
15	
16	Richard P. Vitek, Esq.
17	MYERS BIGEL SIBLEY & SAJOVEC
18	4140 PARKLAKE AVENUE
19	SUITE 600
20	RALEIGH NC 27612
21	
22	Tel: (919) 854-1400
23	Email: rvitek@myersbigel.com
24	Email: mmiller@myersbigel.com
25	